

**NATURAL RESOURCE COMMISSION[571]**

**Adopted and Filed**

**Rule making related to camping, rental facility, vessel storage, and other special privilege fees**

The Natural Resource Commission hereby amends Chapter 61, “State Parks, Recreation Areas, and State Forest Camping,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 455A.5(6)“a.”

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 455A.14.

*Purpose and Summary*

The rule making amends portions of Chapter 61 by adding references to new 561—Chapter 16 (**ARC 4395C**, IAB 4/10/19) and removes provisions that are no longer needed. This is because the Department of Natural Resources (Department) is authorized, pursuant to Iowa Code section 455A.14 as enacted by 2018 Iowa Acts, Senate File 2389 (signed by Governor Reynolds on April 26, 2018), to set and publish camping, rental facility, vessel storage, and other special privilege fees on the Department’s website.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 16, 2019, as **ARC 4225C**. Six public hearings were held on February 7, 2019, from 12 noon to 2:00 p.m. at the following locations:

Wallace State Office Building  
Conference Room 4E/4W  
Des Moines, Iowa

Clear Lake State Park Office  
2730 South Lakeview Drive  
Clear Lake, Iowa

Lake Darling State Park Lodge  
111 Lake Darling Road  
Brighton, Iowa

Delaware County Conservation Board  
Conference Room  
2379 Jefferson Road  
Manchester, Iowa

Cold Springs District Office  
Conference Room  
57744 Lewis Road  
Lewis, Iowa

Visitor Center Banquet Room  
Lewis and Clark State Park  
21914 Park Loop  
Onawa, Iowa

Three people attended the public hearings. A total of eight comments were received from the public, all in general support of the rule making. To clarify that the methodology for fees is set forth in 561—Chapter 16, the word “in” was changed to “pursuant to” in paragraph 61.4(4)“b.” No other changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Commission on March 14, 2019.

### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa. A copy of the impact statement is available from the Department upon request.

### *Jobs Impact*

After analysis and review of this rule making, the Commission does not anticipate any impact to private sector jobs or employment in the state from this rule making. In fact, the public's use of state parks and recreation areas provides important economic support to nearby cities and towns, with guests supporting local businesses and camping and rental fees resulting in sales tax revenue. This is expected to continue, and possibly at times even increase, due to the dynamic pricing strategies that will be made possible by this rule making and its companion rule making to adopt 561—Chapter 16. A copy of the impact statement is available from the Department upon request.

### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 571—Chapter 11.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

### *Effective Date*

This rule making will become effective on May 15, 2019.

The following rule-making actions are adopted:

ITEM 1. Rescind the definition of "Reservation transaction fees" in rule **571—61.2(461A)**.

ITEM 2. Rescind subrule 61.3(3) and adopt the following **new** subrule in lieu thereof:

**61.3(3) Reservation transaction fees.** Fees to process a reservation, change a reservation or cancel a reservation shall be set contractually with the reservation system vendor and published on the department's website with the camping, rental facility and other special privilege fees set by the department pursuant to 561—Chapter 16.

ITEM 3. Rescind subrule 61.4(1) and adopt the following **new** subrule in lieu thereof:

**61.4(1) Fees.** Camping fees shall be set by the department pursuant to 561—Chapter 16.

ITEM 4. Rescind and reserve subrule **61.4(2)**.

ITEM 5. Amend paragraph **61.4(4)“b”** as follows:

*b.* Chaperoned, organized youth groups may choose to occupy campsites not designated as organized youth group campsites. However, the group is subject to ~~all fees and~~ rules in 61.4(1), 61.4(3) and 61.4(5) pertaining to the campsite the group wishes to occupy, as well as all fees as set by the department pursuant to 561—Chapter 16.

ITEM 6. Amend rule 571—61.5(461A), introductory paragraph, as follows:

**571—61.5(461A) Rental facilities.** ~~The following are maximum fees for facility use in state parks and recreation areas. The fees may be reduced or waived by the director for special events or special promotional efforts sponsored by the department. Special events or promotional efforts shall be~~

~~conducted so as to give all park facility users equal opportunity to take advantage of reduced or waived fees. Reductions or waivers shall be on a statewide basis covering like facilities. In the case of promotional events, prizes shall be awarded by random drawing of registrations made available to all park visitors during the event.~~

ITEM 7. Rescind subrule 61.5(1) and adopt the following **new** subrule in lieu thereof:

**61.5(1) Rental facility fees.** Rental facility fees shall be set by the department pursuant to 561—Chapter 16.

ITEM 8. Rescind and reserve subrule **61.5(2)**.

ITEM 9. Rescind rule 571—61.6(461A) and adopt the following **new** rule in lieu thereof:

**571—61.6(461A) Vessel storage fees.** Vessel storage fees shall be set by the department pursuant to 561—Chapter 16.

This rule is intended to implement Iowa Code section 455A.14.

ITEM 10. Amend paragraph **61.22(1)“b”** as follows:

*b.* The fees for camping in established state forest campgrounds shall be ~~the same as those cited in paragraphs 61.4(1)“a” and “b” for all other nonmodern camping areas managed by the department where fees are charged~~ set by the department pursuant to 561—Chapter 16.

[Filed 3/15/19, effective 5/15/19]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 4/10/19.